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CASE BP/G-32574A

**FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10**

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Date of Deposit

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

Art Unit 1616

BETZ ET AL.

APPLICATION NO: 10/520,569

Examiner: Schlientz, Nathan W.

FILED: Nov. 29, 2005

FOR: LIQUID FORMULATIONS WITH HIGH CONCENTRATION OF  
HUMAN GROWTH HORMONE (HGH) COMPRISING PHENOLCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450**NOTICE OF APPEAL**

Sir:

Office Action dated May 12, 2006, in the above-captioned application, is hereby appealed. The appeal is filed under 37 CFR 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.22, 1.25, 1.26, 1.27, 1.28, 1.29, 1.30, 1.31, 1.32, 1.33, 1.34, 1.35, 1.36, 1.37, 1.38, 1.39, 1.40, 1.41, 1.42, 1.43, 1.44, 1.45, 1.46, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.53, 1.54, 1.55, 1.56, 1.57, 1.58, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64, 1.65, 1.66, 1.67, 1.68, 1.69, 1.70, 1.71, 1.72, 1.73, 1.74, 1.75, 1.76, 1.77, 1.78, 1.79, 1.80, 1.81, 1.82, 1.83, 1.84, 1.85, 1.86, 1.87, 1.88, 1.89, 1.90, 1.91, 1.92, 1.93, 1.94, 1.95, 1.96, 1.97, 1.98, 1.99, 2.00, 2.01, 2.02, 2.03, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36, 2.37, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.46, 2.47, 2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54, 2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 2.62, 2.63, 2.64, 2.65, 2.66, 2.67, 2.68, 2.69, 2.70, 2.71, 2.72, 2.73, 2.74, 2.75, 2.76, 2.77, 2.78, 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7.77, 7.78, 7.79, 7.80, 7.81, 7.82, 7.83, 7.84, 7.85, 7.86, 7.87, 7.88, 7.89, 7.90, 7.91, 7.92, 7.93, 7.94, 7.95, 7.96, 7.97, 7.98, 7.99, 8.00, 8.01, 8.02, 8.03, 8.04, 8.05, 8.06, 8.07, 8.08, 8.09, 8.10, 8.11, 8.12, 8.13, 8.14, 8.15, 8.16, 8.17, 8.18, 8.19, 8.20, 8.21, 8.22, 8.23, 8.24, 8.25, 8.26, 8.27, 8.28, 8.29, 8.30, 8.31, 8.32, 8.33, 8.34, 8.35, 8.36, 8.37, 8.38, 8.39, 8.40, 8.41, 8.42, 8.43, 8.44, 8.45, 8.46, 8.47, 8.48, 8.49, 8.50, 8.51, 8.52, 8.53, 8.54, 8.55, 8.56, 8.57, 8.58, 8.59, 8.60, 8.61, 8.62, 8.63, 8.64, 8.65, 8.66, 8.67, 8.68, 8.69, 8.70, 8.71, 8.72, 8.73, 8.74, 8.75, 8.76, 8.77, 8.78, 8.79, 8.80, 8.81, 8.82, 8.83, 8.84, 8.85, 8.86, 8.87, 8.88, 8.89, 8.90, 8.91, 8.92, 8.93, 8.94, 8.95, 8.96, 8.97, 8.98, 8.99, 9.00, 9.01, 9.02, 9.03, 9.04, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10, 9.11, 9.12, 9.13, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.26, 9.27, 9.28, 9.29, 9.30, 9.31, 9.32, 9.33, 9.34, 9.35, 9.36, 9.37, 9.38, 9.39, 9.40, 9.41, 9.42, 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☐ Enclosed is a Petition for Extension of Time.

Respectfully submitted,



Mark I. Bowditch  
Attorney for Applicants  
Reg. No. 40,315

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Date: Nov. 12, 2008

**RECEIVED  
CENTRAL FAX CENTER**

NOV 12 2008

CASE BP/G-32574A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit 1616

BETZ ET AL.

APPLICATION NO: 10/520,569

Examiner: Schlientz, Nathan W.

FILED: Nov. 29, 2005

FOR: LIQUID FORMULATIONS WITH HIGH CONCENTRATION OF  
HUMAN GROWTH HORMONE (HGH) COMPRISING PHENOLCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated May 12, 2008 finally rejecting claims 1, 3, 5, 7-9, 11, 12, 14, 15, 22, 23, 25, 26.

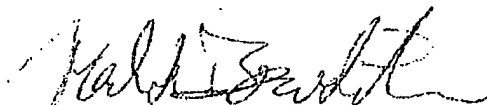
- ☒ Please charge Deposit Account No. 50-4271 in the name of Sandoz in the amount of \$510 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 50-4271 in the name of Sandoz.
- ☐ The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

11/13/2008 VBU11 00000012 504271 10520569

01 FC:1401 540.00 DA

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Respectfully submitted,



Mark I. Bowditch  
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Date: Nov. 12, 2008